

REMARKS

Claims 1-21 are currently pending in the application.

Claims 1-21 stand rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter of the invention.

Claims 1, 3, 4, 6, 16, and 18-21 stand rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,730,349 to Schwarz et al. Claims 2, 5, 7-13, and 17 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Schwarz et al. Claims 1-21 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,743,462 to Pacetti in view of Schwarz et al.

The Claims Overcome the § 112 Rejection

The Examiner rejected claims 1-21 as being indefinite. Specifically, the Examiner asserted that the phrase “roll coating” in the preamble is confusing. While Applicants respectfully disagree, Applicants have amended the preamble in each of the claims to delete the word “roll,” thereby expediting prosecution.

The Claims Are Patentable over Schwarz and Pacetti

Claims 1, 3, 4, 6, 16 and 18-21 were rejected under 35 U.S.C. § 102(e) as anticipated by U.S. Pat No. 6,730,349 to Schwarz et al. in part because Schwarz allegedly “teaches a method of coating a medical device, such as a stent, which was been placed on a holder which can be located on a conveyer.” (Office Action at 3.) Applicants have amended independent claims 1 and 3 to recite the limitation “wherein the stent holder is attached to a conveyer.” (Similarly, claim 3 has been amended to recite plural stent holders.) Applicants submit that Schwarz relates to a coating device wherein the stent holder or cage is freely positioned on a conveyor so that it “can be suspended in an air stream.” (Schwarz ’349 patent, col. 13, lns. 54-59.) Applicants respectfully assert that the claims as amended are patentably distinct from Schwarz because

Schwarz at least fails to disclose the limitation that the stent holders are attached to the conveyor as claimed in amended independent claims 1 and 3.

Claims 2, 5, 7-13 and 17 were rejected under 35 U.S.C. § 103(a) as obvious in view of U.S. Pat No. 6,730,349 to Schwarz et al. Further, claims 1-21 were rejected under 35 U.S.C. § 103(a) as obvious by U.S. Pat No. 6,743,462 to Pacetti in view of U.S. Pat No. 6,730,349 to Schwarz et al.

Applicants respectfully submit that neither Schwarz nor Pacetti suggest or disclose the limitation of a “stent holder, wherein the stent holder is attached to a conveyer,” as recited in amended independent claims 1 and 3. As discussed in detail above, Schwarz does not disclose a stent holder attached to a conveyor. Rather, Schwarz discloses a stent holder freely positioned on a conveyor so that it can be suspended in an air stream. With respect to Pacetti, it likewise does not disclose a stent holder attached to a conveyer. Rather, Pacetti relates to a coating process in which the stent is mounted on a mandrel, and does not suggest, disclose or recite structure in which the stent holder is attached to a conveyor. Thus, Applicant respectfully asserts that the claims are patentably distinct from both of these references, alone and in combination.

CONCLUSION

It is respectfully submitted that the foregoing remarks demonstrate that the application is in condition for allowance and notification thereof is respectfully requested.

The Office is hereby authorized to charge any fees required under 37 C.F.R. § 1.16 or § 1.17 to Kenyon & Kenyon Deposit Account No. 11-0600.

The Examiner is invited to contact the undersigned to discuss any matter regarding this application.

Respectfully submitted,

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FOR

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